

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-5 are pending in this application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

Rejection(s) under 35 U.S.C § 102

Claims 1 and 5 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,621,528, issued to Kessler et al. ("Kessler"). This rejection is respectfully traversed.

Kessler is not valid prior art to this application. As evidenced by the supplemental declaration included with this response, the inventor was diligent in reducing the claimed invention to practice during the critical period between conception of the invention and filing of the Japanese patent application. As acknowledged by the Examiner in the instant Office Action, the inventor's previously faxed declaration establishes conception of the invention prior to the effective date of the Kessler reference (Office Action at p. 4). The attached supplemental declaration describes the inventor's diligence during the critical period, with specificity as to dates and facts, as requested by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 103

Claims 2, 3, and 4 stand rejected under 35 U.S.C. § 103 as being obvious over Kessler. This rejection is respectfully traversed.

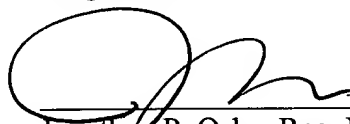
Kessler is not valid prior art to this application for the reasons set forth above. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/022001).

Date: _____

5/3/01

Respectfully submitted,



Jonathan P. Osha, Reg. No. 33,986
OSHA & MAY L.L.P.
One Houston Center, Suite 2800
1221 McKinney Street
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778